

Application Number 	Application/Control No. 10/722,854	Applicant(s)/Patent under Reexamination HALLBERG ET AL.
Document Code - DISQ		Internal Document – DO NOT MAIL

TERMINAL DISCLAIMER	<input checked="" type="checkbox"/> APPROVED	<input type="checkbox"/> DISAPPROVED
Date Filed : December 20, 2007	This patent is subject to a Terminal Disclaimer	

Approved/Disapproved by:

Henry D. Jefferson

T.D. INFORMAL MEMO: DO NOT MAIL THIS MEMO TO APPLICANT

Date:	22-Jan-08	APPL. S. N:	10722854
To Examiner:	WERNER, DAVID	Art Unit	2621
From	Jefferson, Henry PARALEGAL SPCEIALIST	Return This Memo To: Case Drop-Off Location	JEF-2D68

SUBJECT: Decision on Terminal Disclaimer(T.D.) filed:

INSTRUCTIONS: I have reviewed the submitted T.D. with the results as set forth below. If you agree, please use the appropriate form paragraphs identified by this informal memo in your next Office action to notify applicant of the T.D. If you disagree or have any questions, please see me or the Special Program Examiner. THIS IS AN INFORMAL, INTERNAL MEMO ONLY. IT MUST NOT BE (1) MAILED TO APPLICANT OR (2) PLACED OF RECORD IN THE APPLICATION FILE. When your action is complete,

please initial, date and return this memo to me. THANK YOU.

- The T.D. is PROPER and has been recorded (see 14.23).
- The T.D. is NOT PROPER and has not been accepted for the reason(s) checked below (see 14.24):
- The TD fee of [REDACTED] has not been submitted nor is there any authorization in the application file for the use of a deposit account
 - The T.D. does not satisfy Rule 321 in that the person who has signed the T.D. has not stated the extent of his/her interest (and/or the extent of the interest of the business entity represented by the signature) in the application/patent (see 14.26 & 14.26.01).
 - The T.D. lacks the enforceable only during common ownership clause – needed to overcome a non-statutory double patenting rejection, Rule 321(b) (see 14.27.01).
 - The T.D. is directed to a particular claim(s), which is not acceptable since "the disclaimer must be for a terminal portion of the term of the entire patent to be granted" (MPEP 1490) (see 14.26 & 14.26.02).
 - The person who signed the T.D.:
 - is not an attorney "of record" (see 14.29 and 14.29.01).
 - has failed to state his/her capacity to sign for the business entity (see 14.28).
 - is not recognized as an officer of the assignee (see 14.29 & possible 14.29.02).
 - No documentary evidence of a chain of title from the original inventor(s) to assignee has been submitted, nor is the reel and frame number specified as to where such evidence is recorded in the Office (see 37 CFR 3.73(b) and 1140 O.G. 72). NOTE: This documentary evidence or the specifying of the reel and frame number may be found in the T.D. or in a separate paper of record in the application (see 14.30).
 - The T.D. is not signed (see 14.26 & 14.26.03).
 - The serial number of the application (or the number of the patent) which forms the basis for the double patenting rejection is missing or incorrect (see 14.32).
 - The serial number of this application (or the number of the patent in reexam or reissue cases being disclaimed is missing or incorrect (see 14.26, 14.27.02 or 14.26.05).
 - The period disclaimed is incorrect or not specified (see 14.26, 14.27.02 or 14.26.03).
 - Other: [REDACTED] 
 - Suggestion to request refund (see 14.36). NOTE: If already authorized, credit refund to deposit account and do not check this item.

I have appropriately notified applicant(s) of the status of the Terminal Disclaimer filed in this case.

Ex.Initials: _____ Date: _____

Log Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/722,854
Applicant : Bryan S. Hallberg et al.
Conf. No. : 8552
Filed : November 25, 2003
TC/A.U. : 2621
Examiner : David N. Werner
Docket No. : 7146.0180
Customer No. : 55648
Title : METHOD AND APPARATUS FOR STORING MPEG-2 TRANSPORT STREAMS USING A CONVENTIONAL DIGITAL VIDEO RECORDER

TERMINAL DISCLAIMER

Chernoff Vilbauer McClung & Stenzel LLP
601 SW Second Avenue, Suite 1600
Portland, Oregon 97204-3157

December 20, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Kurt Rohlfs, represent that I am an attorney of record for this invention and that I am empowered to act on behalf of Sharp Laboratories of America, Inc., which is the owner of the entire interest in the above-identified application. The terminal part of the statutory term of any patent granted on the instant application that would extend beyond the expiration date of U.S. Patent No. 7,298,959, or any patent granted on U.S. Patent Application No. 10/684,276 (hereinafter said patents), is hereby disclaimed. It is agreed that any patent so granted on the instant application shall be enforceable only for and during such period that it and said patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

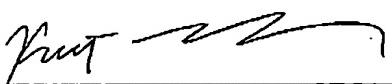
Appl. No. 10/722,854
Terminal Disclaimer dated December 20, 2007

In making the above disclaimer, the undersigned disclaimant does not disclaim the terminal part of any patent granted on the instant application prior to the expiration date of the full statutory term of any of said patents that later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 U.S.C. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term except for lack of common ownership between it and the instant application as stated above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

Enclosed herewith is the terminal disclaimer fee for a large entity in the amount of \$130.00.

Executed this 20th day of December, 2007.

By: 
Kurt Rohlfs
Attorney of Record
Reg. No. 54,405

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